THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17434 of 2005

DATED:08-08-2005

Between:

Sri Ganga Bhavani Sand Quarry Boatsmen

& Fishermen Coop. Society, Kandikuppa,
Rep. by its President Palepu Satyam S/o. Venkataratnam, aged 42 yrs, Occ: Fisherman R/o. Kandikuppa, Katrenikona Mandal, East Godavari District,

..... PETITIONER

AND

1 The Assistant Director of Fisheries, Teja Towers, II Floor, Near SKBR

College, Amalapuram,. East Godavari District, and another.

.....RESPONDENTS

HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO:17434 of 2005

ORDER:

This writ petition is filed by the petitioner, which is a Co-operative Society of Sand Quarry Boatsmen and Fishermen, claiming that it has got a preferential right for allotment of leasehold rights in respect of fishery rights in the minor irrigation tanks within the jurisdiction of the said society.

2. It is stated that the petitioner is the lessee for the fishing rights in respect of drainage canals viz., Gadre Kaluva, Murugu Kalva, Lakshmikodu, Kapodu Kalva and Jeelugu Kalva. However, after expiry of the lease period for the year 2003-04, the petitioner made a representation for renewal of the lease, but no orders are passed by the respondents. Thereafter, a reminder representation was also made on 17-07-2005 for grant of fishing rights for the fasali 1415. As no action has been taken by the respondents, the petitioner has come up with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader.

4. The petitioner is claiming that it has got a preferential right in terms of G.O.Ms.No.70 and 71 dated 23-07-1998 under which fishing rights in respect of minor tanks as well as drainage canals have to be issued to the Fishermen Cooperative Societies which are located within their jurisdiction. The grievance of the petitioner is that though the petitioner-Society was granted lease up to the year 2004, thereafter, no orders are passed and the respondents are trying to lease out the same to the third parties. Therefore, the petitioner has come up with the present writ petition alleging that the representation given by the petitioner was not even disposed of.

5. Under the above circumstances, the writ petition is disposed of directing the respondents to dispose of the representation of the petitioner, considering the claims of the petitioner for grant of fishing rights in terms of G.O.Ms.No.70 and 71 dated 23-07-1998, expeditiously, preferably, within a period of three weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No order as to costs.

S.ANANDA REDDY, J

08th August, 2005

SKM